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# NOTICE OF ALLOWANCE AND FEE(S) DUE

ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873 EXAMINER

BOR, HELENE CATHERINE

ART UNIT PAPER NUMBER

3768

DATE MAILED: 03/03/2011

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/565,435      | 01/20/2006  | Tetsuya Hayashi      | 529.45793X00        | 2189             |

TITLE OF INVENTION: ULTRASONOGRAPHIC DEVICE AND ULTRASONOGRAPHIC METHOD

| APPLN. TYPE    | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE   |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO           | \$1510        | \$300               | \$0                  | \$1810           | 06/03/2011 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED.</u> SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

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| 20457 7590 03/03/2011                |                  |                      | EXAMINER              |                  |
| ANTONELLI, TERRY, STOUT & KRAUS, LLP |                  |                      | BOR, HELENE CATHERINE |                  |
| 1300 NORTH SEV<br>SUITE 1800         | 'ENTEENTH STREET | ľ                    | ART UNIT              | PAPER NUMBER     |
| ARLINGTON, VA                        | 22209-3873       |                      | 3768                  |                  |

DATE MAILED: 03/03/2011

# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 14 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 14 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## **Privacy Act Statement**

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- 2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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- 5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
- 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

|  | Application No.  | Applicant(s)  |          |
|--|--|---|----------|
|  | 10/565,435   | HAYASHI ET AL.  |          |
| Notice of Allowability   | Examiner   | Art Unit  |          |
|  | HELENE BOR   | 3768  |          |
| The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT Report to the Office or upon petition by the applicant. See 37 CFR 1.313   | (OR REMAINS) CLOSED is or other appropriate comm <b>IGHTS.</b> This application is a and MPEP 1308.  | n this application. If not included unication will be mailed in due cour  | se. THIS |
|  |  |   |          |
| 3.  Acknowledgment is made of a claim for foreign priority una)  All b)  Some* c)  None of the:  1.  Certified copies of the priority documents have 2.  Certified copies of the priority documents have 3.  Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:  Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4.  A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 5.  CORRECTED DRAWINGS ( as "replacement sheets") must (a)  including changes required by the Notice of Draftspers 1)  hereto or 2)  to Paper No./Mail Date | e been received. e been received in Application cuments have been received of this communication to file MENT of this application.  whitted. Note the attached EX es reason(s) why the oath of the submitted. Son's Patent Drawing Revie | on No  d in this national stage application to a reply complying with the require AMINER'S AMENDMENT or NOTION declaration is deficient.  w ( PTO-948) attached | ments    |
| Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t  6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT   | he header according to 37 Clasit of BIOLOGICAL MAT   | FR 1.121(d).<br>ERIAL must be submitted. Note   |          |
| Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material  | 6.  ☐ Interview S<br>Paper No.<br>7.  ☑ Examiner's   | nformal Patent Application<br>summary (PTO-413),<br>/Mail Date<br>Amendment/Comment<br>Statement of Reasons for Allowan<br>                                     | ce       |
|  |  |   |          |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonid Thenor on 02/24/2010.

The application has been amended as follows:

1. An ultrasound diagnostic apparatus comprising:

<u>a tomogram forming means unit</u> for forming a tomogram of a diagnosis portion of an examinee by transmitting/receiving an ultrasound wave to/from the examinee via an ultrasound probe;

color Doppler image forming means <u>unit</u> for forming a color Doppler image based on a Doppler signal obtained from the diagnosis portion;

<u>a transparency control</u> <u>means unit</u> for controlling a degree of the transparency of the color Doppler image;

an image processing unit for performing image processing on the tomogram and the color Doppler image;

a display unit for displaying images obtained by the image processing unit, the tomogram and the color Doppler image being color displayed on the display unit,

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selection means unit for selecting one or both of a luminance/hue color bar, which is based on the information of a velocity and/or variance of a blood flow, and/or a transparency color bar from a plurality of transparency color bars, which is based on the information of the variance, for alternatively or simultaneously displaying the luminance/hue color bar and/or the transparency color bar on the display means unit; and

image processing means for performing image processing on the tomogram and the color Doppler image; and

display means for displaying images obtained by the image processing means, the tomogram and the color Doppler image being color displayed on the display means,

wherein the <u>transparency control</u> means <u>unit</u> for controlling a degree of transparency changes the relationship between the transparency and the variance, and changes the degree of transparency of the color Doppler image based on the changed relationship in accordance with the one transparency color bar selected by the means for selecting selection unit,

the image processing means unit causes the color Doppler image to be displayed transparently, based on the changed degree of transparency, and the display means unit displays at most the one transparency color bar selected by the means for selecting selection unit.

2. The ultrasound diagnostic apparatus according to claim 1, wherein the display

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means <u>unit</u> displays information composed of the color display and the transparent display.

- 3. The ultrasound diagnostic apparatus according to claim 1, further comprising a second means unit for selecting one of the color display and the transparent display, wherein the display means unit displays the information selected by the second means unit for selecting.
- 5. The ultrasound diagnostic apparatus according to claim 1, wherein the means for controlling a degree of transparency control unit controls a degree of the transparency based on blood flow information of the color Doppler image.
- 6. The ultrasound diagnostic apparatus according to claim 1, wherein the means for controlling a degree of transparency control unit controls a degree of the transparency based on a variance of a blood flow of the color Doppler image.
- 7. The ultrasound diagnostic apparatus according to claim 1, wherein the means for controlling a degree of transparency control unit sets the transparency of the color Doppler image in such a manner that the transparency is reduced with an increase in a variance of the blood flow.
- 8. The ultrasound diagnostic apparatus according to claim 1, wherein the means for

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controlling a degree of transparency control unit obtains the variance as a relative value to display the color Doppler image as: an opaque image when the variance is maximum; a transparent image when the variance is null; or a semi-transparent image when a variance is not maximum nor null.

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- 9. The ultrasound diagnostic apparatus according to claim 1, wherein the display means unit displays a transparent color bar representing the transparency of the color Doppler image of the color display.
- 11. The ultrasound diagnostic apparatus according to claim 1, further comprising <u>a</u> luminance/hue control means unit for controlling a hue of the color Doppler image of the color display, wherein the means for controlling a degree of transparency control unit and the <u>luminance/hue control</u> means unit for controlling a hue controls a luminance, a hue, and a transparency based on the blood flow information to create a three-dimensional color Doppler image.
- 12. The ultrasound diagnostic apparatus according to claim 11, further comprising:

  means an arranging unit for arranging a speed/reflection intensity and variance

  data of the Doppler signal in each of three-dimensional voxels in accordance with a

  position of each of planes;

means a luminance/hue deciding unit for deciding a luminance/hue of each of the three-dimensional voxels based on the speed and a variance; and

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means a transparency deciding unit for deciding a transparency of each of the three-dimensional voxels based on the variance.

- 13. The ultrasound diagnostic apparatus according to claim 11, wherein the display means unit displays a turbulence portion of the blood flow of the three-dimensional color Doppler image.
- 14. The ultrasound diagnostic apparatus according to claim 1, wherein the color Doppler image forming means unit comprises:

a phase comparator outputting a cosine component and a sine component of the Doppler signal;

an MTI filter damping a low frequency component of the cosine component signal and the sine component signal and extracting a high frequency component of the cosine component signal and the sine component signal;

an autocorrelation calculation means unit calculating an average speed, a variance, and power of the blood flow;

a digital scan converter rearranging in accordance with a television scanning method; and

a color encoder performing colorization corresponding to the speed and the variance.

15. The ultrasound diagnostic apparatus according to claim 1, comprising a

<u>luminance/hue display unit</u> means for displaying a luminance/hue color bar representing a color of the color Doppler image of the color display,

wherein the luminance/hue color bar changes in color in such a manner that: black is displayed at a portion corresponding to the blood flow speed of 0; the change in the case of a positive direction speed is displayed as a gradual change from dark red to orange and then to yellow in accordance with the increase in variance; and the change in the case of a negative direction speed is displayed as a gradual change from dark blue to light blue and then to green in accordance with the increase in variance.

16. (previously presented) The ultrasound diagnostic apparatus according to claim 1, wherein the image processing means unit comprises a storage unit means for storing data of a plurality of color Doppler images and reads out the data from the storage unit means to perform the image processing on the data of speeds, reflection intensities, and variances of the plurality of the color Doppler images.

18. The ultrasound diagnosing method according to claim 17, further comprising the steps of:

measuring a plurality of color Doppler images;

arranging step for arranging speed/reflection intensity and variance data of the color Doppler images in each of three-dimensional voxels corresponding to each of planes;

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deciding color information of a luminance/hue of each of three-dimensional voxels based on the speed and the variance;

deciding a transparency of each of the three- dimensional voxels based on the variance; and

rendering step for performing volume rendering based on parameters decided by the foregoing steps and creating a projection image to be displayed.

- 19. The ultrasound diagnostic apparatus according to claim 1, wherein the plurality of color Doppler images are acquired and they are subjected to volume rendering so as to create a projection image to be displayed.
- 20. The ultrasound diagnostic apparatus according to claim 19, further comprising:

  means a measuring unit for measuring a plurality of color Doppler images;

  means an arranging unit for arranging speed/reflection intensity and variance

  data of the color Doppler images in each of three-dimensional voxels corresponding to
  each of planes;

means a luminance/hue deciding unit for deciding color information a luminance/hue of each of three-dimensional voxels based on the speed and the variance;

means a transparency deciding unit for deciding a transparency of each of the three- dimensional voxels based on the variance; and

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means a rendering unit for performing volume rendering based on parameters decided by the foregoing steps and creating a projection image to be displayed.

#### Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELENE BOR whose telephone number is (571)272-2947. The examiner can normally be reached on M-T 8:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long V. Le can be reached on (571)272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Helene Bor/ Examiner, Art Unit 3768 /Long V Le/ Supervisory Patent Examiner, Art Unit 3768